

REMARKS

Applicants request favorable reconsideration of the subject application in view of the foregoing amendments and the following remarks.

Claims 1, 2, 5-8, 11-13 and 26-29 are pending in this application, with Claims 1, 6, 11, and 26-29 being independent. Claims 1, 6, 11, and 26-29 are amended herein.

In the Office Action, Claims 1, 2, 5-8, 11-13, and 26-29 were rejected under 35 U.S.C. § 103, as being obvious over U.S. Patent No. 6,434,265 (Xiong et al.), in view of U.S. Patent No. 6,271,855 (Shum et al.) and U.S. Patent No. 6,246,413 (Teo). This rejection is respectfully traversed. Nevertheless, independent Claims 1, 6, 11, and 26-29 have been amended to even more clearly recite features of Applicants' invention.

Independent Claim 1 relates to an image synthesis method and as presently presented recites, inter alia, automatically setting one mapping mode out of a plurality of mapping modes, each mapping mode corresponding to a different mapping surface, without a user intervening to determine the mapping mode or the corresponding mapping surface, in accordance with the horizontal and vertical placement direction of the plurality of images having a common subject region.

The Xiong et al. patent is directed to a method for aligning rectilinear images in 3D through projective registration and calibration. However, as acknowledged in the Office Action, the Xiong et al. patent fails to disclose or suggest automatically setting one mapping mode out of a plurality of mapping modes, each mapping mode corresponding to a different mapping surface, as recited in independent Claim 1.

The Office Action takes the position that the Teo patent shows automatically

setting one mapping mode out of a plurality of mapping modes, each mapping mode corresponding to a different mapping surface. For example, pages 2 and 3 of the Office Action interpret this language as covering the setting of the mapping surfaces by the user through user interfaces 114 and 206, as discussed in columns 7 through 11 of the Teo patent. The Office Action appears to argue that since the computer sets the mapping mode in response to signals about the shape of the mapping surface from the user interface, the Teo patent shows the claimed feature of independent Claim 1 of automatically setting one mapping mode out of a plurality of mapping modes, each mapping mode corresponding to a different mapping surface. Applicants respectfully disagree, since the Teo patent makes clear that “the present invention enables a user to modify the surface geometry by means of a user interface 114” and that “a user controls the shape of a general surface geometry.” (Column 7, lines 34-37, and column 8, lines 40 and 41.) Accordingly, the setting disclosed in the Teo patent cannot be said to be automatically setting one mapping mode, without a user intervening to determine the mapping mode or the corresponding mapping surface, as recited in Claim 1 of the subject application.

The Office Action also relies on the Teo patent to show the setting of the mapping mode by computations involving the horizontal and vertical placement of images. More specifically, page 3 of the Office Action appears to interpret this claim language to cover a situation in which a user decides to print the panoramic images as a poster, which decision is implemented by mapping the panoramic images onto a cubic mapping surface, as discussed at column 10, lines 6-27 of the Teo patent (although the Office Action does not specify the portion of the patent disclosing this feature). However, Applicants submit that the Teo patent fails to disclose automatically setting one mapping mode out of a plurality of mapping modes, each

mapping mode corresponding to a different mapping surface, without a user intervening to determine the mapping mode or the corresponding mapping surface, in accordance with the horizontal and vertical placement direction of the plurality of images having a common subject region, as recited in independent Claim 1 as presently presented.

The Schum et al. patent is directed to interactive construction of 3D models from panoramic images, and was cited for its implicit teaching of issuing a warning in a case in which an image exceeds a predetermined view angle. Applicants respectfully submit that the Schum et al. patent fails disclose or suggest making any change in mapping mode, for the reasons noted in the September 22, 2004 Amendment. However, even if, for the sake of argument, the Schum et al. patent taught such a feature and could be combined as proposed in the Office Action, the Schum et al. patent still does not remedy the foregoing deficiencies in the Xiong et al. and Teo patents noted above with respect to independent Claim 1.

Accordingly, Applicants submit that Claim 1 is allowable over the cited documents.

Independent Claims 6, 11, and 26-29 are variously directed to image synthesis apparatuses, computer readable storage mediums, and methods, and each recites features similar to the features of independent Claim 1 discussed above. Accordingly, applicants submit that independent Claims 6, 11, and 26-29 are allowable over the cited art for reasons similar to those discussed above with respect to Claim 1.

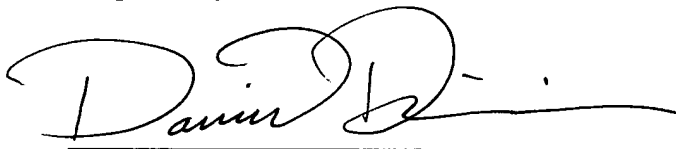
The dependent claims also are allowable for the same reasons as the independent claims from which they depend, as well as for the additional features that they recite. Individual consideration of each dependent claim is respectfully requested.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. Furthermore, Applicants respectfully submit that a full appreciation of these amendments will not require undue time or effort given the Examiner's familiarity with this application. Moreover, this Amendment was not earlier presented because Applicants earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David A. Divine", with a long horizontal flourish extending to the right.

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